

REMARKS

Claims 1-83 have been cancelled from the application, and new claims 84-131 have been substituted therefore. No new matter has been added. It is to be noted that claims 1-83 have not been canceled for purposes relating to patentability. Rather, claims 84-131 are being substituted for claims 1-83 for purposes of clarification, and in order to present to the examiner a clean set of claims which reflect all of the presently presented claim features.

During a telephonic interview between the undersigned attorney and the examiner on September 16, 2005, the various rejections of the claims were discussed with respect to the present invention and the cited prior art references. A summary of the telephonic interview is presented below. At the conclusion of the telephonic interview, it was agreed that Jaszweski does not teach or suggest the feature of separately identifying upstream and downstream channels used by the wireless access points, and that Chui does teach or suggest allowing some cable modems of a group using a first downstream channel to switch to a second downstream channel while other cable modems of the group continue to use the first downstream channel. Additionally, it was agreed that Enns does not appear to teach or suggest allowing some cable modems of a group using a first downstream channel to switch to a second downstream channel while other cable modems of the group continue to use the first downstream channel.

Claim 84 is directed to a method for facilitating communications between a network node and a Head End of an access network including a plurality of nodes which communicate with the Head End via at least one upstream channel and at least one downstream channel. The at least one downstream channel includes a first downstream channel and a second downstream channel, wherein the first downstream channel is associated with a first channel identifier, and the second downstream channel is associated with a second channel identifier. The at least one upstream channel including a first upstream channel associated with a third channel identifier, wherein the third channel identifier is different from the first channel identifier and second channel identifier. The method comprises, at least in part: communicating between the Head End and the first and second nodes via the first downstream channel; receiving, at the first node, a dynamic channel change (DCC) request to perform a dynamic channel change operation; responding to the dynamic channel change request by implementing the downstream channel change operation at the first node; communicating between the Head End and the first node via the second downstream channel after successful completion of the downstream channel change operation; and communicating between the Head End and the second node via the first downstream channel after successful completion of the downstream channel change operation at the first node.

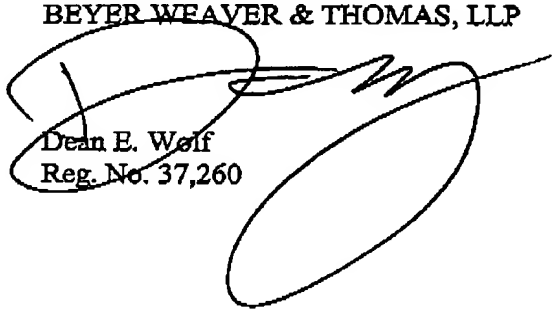
It is respectfully submitted that none of the cited prior art references, either singly or combined, teach or suggest the combination of features, defined, for example, in claim 84 of the present application. Accordingly, claim 84 is believed to be allowable over the cited prior art of record.

Independent claims 101, 115, 121, 122, and 127 define features similar to those defined in claim 84, and are therefore believed to be allowable for at least those reasons stated above in support of claim 84. Additionally, each of the presently pending dependent claims is believed to be allowable since it is dependant upon one of the independent claims..

Because claims 84-131 are believed to be allowable in their present form, many of the examiner's rejections in the Office Action have not been addressed in this response. However, applicant respectfully reserves the right to respond to one or more of the examiner's rejections in subsequent amendments should conditions arise warranting such responses.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



Dean E. Wolf
Reg. No. 37,260

P.O. Box 70250
Oakland, CA 94612-0250